

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMBINED DECLARATION AND POWER OF ATTORNEY
IN CONTINUATION-IN-PART APPLICATION

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We verily believe that we are the original, first and joint inventors of the improvement in **GENE TRANSFER FOR STUDYING AND TREATING A CONNECTIVE TISSUE OF A MAMMALIAN HOST** described and claimed in Application Serial No. 08/924,777, filed September 5, 1997; that this application in part discloses and claims subject matter disclosed in our earlier filed application Serial No. 08/381,603, filed January 27, 1995; that as to both applications, we have reviewed and understood the contents of them including the claims; that we acknowledge our duty to disclose to the United States Patent and Trademark Office information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56; that, as to the subject matter of this application which is common to said earlier application, we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof or patented or described in any printed publication in any country before our invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to said earlier application; and that no application for patent or inventor's certificate on said invention has been filed by us or our representatives or assigns in any country foreign to the United States of America, except as follows: Canadian Appln. No. 2,211,833; Japanese Appln. No. 8-523081; and European Appln. No. 96905338.8, all filed January 25, 1996; that as to the subject matter of this application which is not common to said earlier application, that we have reviewed and understood the contents of the specification, including the claims; and as to the subject matter of this application which discloses and claims subject matter in addition to that disclosed in the prior co-pending

application, we acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which became available between the filing date of the prior application and the filing date of this application; we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States of America more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject matter of an inventor's certificate issued in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to the date of this application; and that no application for patent or inventor's certificate on said invention has been filed by us or our representatives or assigns in any country foreign to the United States of America except as follows: NONE.

We hereby appoint Walter J. Blenko, Jr., Registration No. 18,526; Arnold B. Silverman, Registration No. 22,614; Richard V. Westerhoff, Registration No. 24,454; David W. Brownlee, Registration No. 24,464; Lewis F. Gould, Jr., Registration No. 25,057; Daniel C. Abeles, Registration No. 25,822; Stephan P. Gribok, Registration No. 29,643; Frederick A. Tecce, Registration No. 32,065; Alan G. Towner, Registration No. 32,949; David V. Radack, Registration No. 33,442; Samuel W. Apicelli, Registration No. 36,427; Kirk D. Houser, Registration No. 37,357; Richard P. Gilly, Registration No. 37,630; Diane R. Meyers, Registration No. 38,968; Daniel S. Goldberg, Registration No. 39,689; Thomas S. Deibert, Registration No. 40,984; and Benjamin T. Queen, II, Registration No. 41,260, as our attorneys or agents in this matter with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, to amend the specification, to appeal in case of rejection, as they may deem advisable, to receive the patent when granted and generally to do all matters and things needful in the premises as fully and to all intents and purposes as we could do.

Please direct all communications to **Diane R. Meyers, Eckert Seamans Cherin & Mellott, LLC, 600 Grant Street, Forty-second Floor, Pittsburgh, Pennsylvania 15219, (412) 566-6000.**

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first joint inventor JOSEPH C. GLORIOSO
Inventor's signature *[Signature]* Date 3-26-98
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Full name of second joint inventor, if any CHRISTOPHER H. EVANS
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Inventor's signature *[Signature]* Date 3/26/99
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov018484-0228005
PJFollette

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
08/924,777	09/05/1997	JOSEPH C. GLORIOSO	109070111

KEVIN BASTIAN
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OC000000005377085

Date Mailed: 09/06/2000

NOTICE REGARDING POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/24/2000.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

TOWNSEND & TOWNSEND
& CREW
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

ATTORNEY/APPLICANT COPY

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
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Washington, D.C. 20231

JUNE 02, 1998

PTAS

ECKERT SEAMANS CHERIN & MELLOTT, LLC
DIANE R. MEYERS, ESQ.
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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/03/1998

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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GLORIOSO, JOSEPH C.

DOC DATE: 03/04/1998

ASSIGNOR:

EVANS, CHRISTOPHER H.

DOC DATE: 03/09/1998

ASSIGNOR:

ROBBINS, PAUL D.

DOC DATE: 03/04/1998

ASSIGNEE:

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SERIAL NUMBER: 08924777
PATENT NUMBER:

FILING DATE: 09/05/1997
ISSUE DATE:

jc912 U.S. PTO
09/731175



12/05/00

dan

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SEDLEY PYNE, PARALEGAL
ASSIGNMENT DIVISION
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04-08-1998

MB No. 0651-0011 (exp. 4/94)



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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

APR 03 1998

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To the Honorable Commissioner of Patents and Trademarks

attached original documents or copy thereof.

1. Name of conveying party(ies):

Joseph C. Glorioso
Christopher H. Evans
Paul D. Robbins

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

MRD 4-3-98

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

March 4, 1998; March 9, 1998;
Execution Date: March 4, 1998

2. Name and address of receiving party(ies)

University of Pittsburgh of the

Name: Commonwealth System of Higher Education

Internal Address:

Street Address: 911 William Pitt Union

City: Pittsburgh State: PA ZIP: 15260

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

08/924,777

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Diane R. Meyers, Esquire

Internal Address: Eckert Seamans Cherin &
Mellott, LLC

Street Address: 600 Grant Street, 42nd Floor

City: Pittsburgh State: PA ZIP: 15219

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

4/08/1998 SSMITH 00000012 08924777
1 FC:581 40.00 DP

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Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Diane R. Meyers

Name of Person Signing

[Signature]
Signature

March 31, 1997

Date

Total number of pages including cover sheet, attachments, and document:

4

Mail documents to be recorded with required cover sheet information to:

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, we, **JOSEPH C. GLORIOSO. CHRISTOPHER H. EVANS** and **PAUL D. ROBBINS** citizens of the United States of America, Great Britain, and the United States of America, respectively; residing at 202 Scarborough Drive, Cheswick, Pennsylvania 15024; 111 Maple Terrace, Pittsburgh, Pennsylvania 15211; and 5816 Elmer Street, Pittsburgh, Pennsylvania 15232, respectively;

Hereby sell, assign and transfer to the **University of Pittsburgh of the Commonwealth System of Higher Education**, a non-profit Pennsylvania corporation, having a place of business at 911 William Pitt Union, Pittsburgh, Pennsylvania 15260, in the County of Allegheny and Commonwealth of Pennsylvania, its successors, assigns and legal representatives, our entire right, title and interest, for all countries, in and to any and all improvements which are disclosed and claimed, and any and all improvements which are disclosed but not claimed, in United States Patent Application Serial No. **08/924,777**, filed **September 5, 1997** for **GENE TRANSFER FOR STUDYING AND TREATING A CONNECTIVE TISSUE OF A MAMMALIAN HOST**, and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed on any of said improvements disclosed in said application; and in and to all original and reissued patents which have been or shall be issued on said improvements;

Authorize and request the Commissioner of Patents and Trademarks to issue to said Assignee, the University of Pittsburgh of the Commonwealth System of Higher Education, its successors, assigns and legal representatives, in accordance with this Assignment, any and all United States Letters Patent on said improvements, or any of them, disclosed in said application;

Agree that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment we will, for all countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths and other papers; communicate to said Assignee, its successors, assigns, and representatives, all facts known to us relating to said improvements and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said improvements, and for vesting title to said improvements and all applications for

EXECUTED

March 9

1998

Paul D. Robbins (SEAL)
PAUL D. ROBBINS

Commonwealth of Pennsylvania)

) SS:

County of Allegheny)

Before me this 4th day of March, 1998, personally appeared **PAUL D. ROBBINS**, to me personally known to be the person who is described in and who executed the above instrument, and he acknowledged to me that he executed the same of his own free will for the purposes therein set forth.

Kimberly L. Hornath
Notary Public

(Affix Seal Here)

Notary Seal
Kimberly L. Hornath, Notary Public
Pittsburgh, Allegheny County
My Commission Expires 12/31/2000
Pittsburgh, Pennsylvania